

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPELLANT: Ban Al-Bakri EXAMINER: Holliday, Jaime Michelle
SERIAL NO.: 10/530,309 GROUP: 2617
FILED: 04/04/2005 CASE NO.: CE10364EP

TITLED: A Method And Apparatus For Handing Over A Subscriber Unit Between
Cellular Communication Systems

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APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner of Patents
P.O. Box 1450
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Commissioner:

The appellants hereby respectfully submit the following Appeal Brief in response to a Final Office Action dated September 14, 2006, with a Notice of Appeal filed herewith.

1. REAL PARTY IN INTEREST

The real party in interest in this appeal is Motorola, Inc., a Delaware corporation having a primary place of business in Schaumburg, Illinois.

2. RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in this appeal.

3. STATUS OF CLAIMS

This is an appeal from a Final Office Action, dated September 14, 2006. Claims 1-25 are pending and presently stand once and finally rejected and constitute the subject matter of this appeal. Claims 1-25 are appealed.

In a First Office Action dated June 06, 2006, the Examiner rejected Claims 1, 9-11, 18 and 25 under 35 U.S.C. §102(e) as being anticipated by Jagadeesan (US 7,003,298), rejected Claims 3-8 and 12-14 under 35 U.S.C. §103(a) as being unpatentable over Jagadeesan (US 7,003,298) in view of Tellingier et al. (US 6,792,273), rejected Claims 16, 17 and 19-24 under 35 U.S.C. §103(a) as being unpatentable over Jagadeesan (US 7,003,298) in view of Parmar et al. (US 6,725,039), and rejected Claims 2 and 15 under 35 U.S.C. §103(a) as being unpatentable over Jagadeesan (US 7,003,298) in view of Bedingfield, Sr. et al. (US 5,850,606). In an amendment and response dated June 14, 2006, the appellants replied to the first Office Action with an amendment to claims 1-10, 12, 13 and 23-25.

In a Final Office Action dated September 14, 2006, the Examiner rejected Claims 1, 9-11, 18 and 25 under 35 U.S.C. §103(a) as being unpatentable over Jagadeesan (US 7,003,298) in view of Noguera-Rodriguez et al. (US 6,687,249), rejected Claims 3-8, 12-14 and 23 under 35 U.S.C. §103(a) as being unpatentable over Jagadeesan (US 7,003,298) in view of Noguera-Rodriguez et al. (US 6,687,249) and further in view of Tellingier et al. (US 6,792,273), rejected Claims 16, 17, 19-22 and 24 under 35 U.S.C. §103(a) as being unpatentable over Jagadeesan (US 7,003,298) in view of Noguera-Rodriguez et al. (US 6,687,249) and further in view of Parmar et al. (US 6,725,039), and

rejected Claim 15 under 35 U.S.C. §103(a) as being unpatentable over Jagadeesan (US 7,003,298) in view of Noguera-Rodriguez et al. (US 6,687,249) and further in view of Bedingfield, Sr. et al. (US 5,850,606). In a response after final rejection dated October 03, 2006, the appellants replied to the First Final Action without amendment.

Claim 1 provides a method of handing over a plurality of connections of a subscriber unit (301,305 in FIG. 3) from a first cellular communication system (201 in FIG. 2) supporting the plurality of connections of the subscriber unit to a second cellular communication system (203) having capability for supporting only one connection, as described in the specification in the Summary of the Invention and more specifically in the last paragraph starting on page 4 and continuing onto page 5. The method includes a first aspect of forwarding all the connections directly from the first communication system to the second communication system. A second aspect includes entering at least a first connection of said plurality of connections into a holding state directed by the second communication system. A third aspect includes forming a handover connection (219) to the subscriber unit through the second cellular communication system. A fourth aspect includes handing over a second connection of said plurality of connections to the second cellular communication system by associating the second connection with said handover connection. A fifth aspect includes entering said at least first connection into an active state by switching the at least first connection with the handover connection (219) while placing the previously active second connection on hold.

Claim 25 provides apparatus for handing over a plurality of connections of a subscriber unit from a first cellular communication system supporting the plurality of connections of the subscriber unit to a second cellular communication system having capability for supporting only one connection, as described in the specification in the Summary of the Invention and more specifically in the first full paragraph on page 9. The apparatus includes means for forwarding all the connections directly from the first communication system to the second communication system. The apparatus also includes means for entering at least a first connection of said plurality of connections into a holding state directed by the second communication system. The apparatus also includes means for forming a handover connection to the subscriber unit through the

second cellular communication system. The apparatus also includes means for handing over a second connection of said plurality of connections to the second cellular communication system by associating the second connection with said handover connection. The apparatus also includes means for entering said at least first connection into an active state by switching the at least first connection with the handover connection while placing the previously active second connection on hold.

The pending claims 1-25 filed and entered before the Final Office Action are reproduced below.

4. STATUS OF AMENDMENTS

A Response to the Final Office Action was filed on October 3, 2006, and is currently pending. In the Response to the Final Office Action, the appellants responded to the Examiner's rejection of claims 1-25 without amendment. The appellants received an Advisory Action, dated October 19, 2006 rejecting appellant's arguments and maintaining the Final Office Action.

5. SUMMARY OF CLAIMED SUBJECT MATTER

Referring to FIGs. 2 and 3, the subject matter relates to handover of a subscriber unit (301,305) from a first cellular communication system (201) to a second cellular communication system (203). The first communication system supports a plurality of connections, and the second communication system supports only a single connection. The handover comprises forming a handover connection (219) to the subscriber unit (301,305) through the second communication system and handing one of the connections under the first communication system over to this connection. Rather than dropping the remaining connections, they are entered into a holding state. After the handover, one of the connections on hold may be entered into an active state by associating the handover connection (219) with this connection.

The claimed subject matter provides a technique for switching a plurality of connections for a mobile unit from one multi-connection communication system to another communication system that only supports a single connection. This is

accomplished by placing all but one connection in the multi-connection system on hold while maintaining contact therewith, then switching the held connections between the one active handover connection in the second system, in accordance with various parameters. Further, the plurality of connections in the multi-connection system are maintained such that handing back from the single-connection system to multi-connection system is readily accomplished.

6. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1, 9-11, 18 and 25 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Jagadeesan (US 7,003,298) in view of Noguera-Rodriguez et al. (US 6,687,249).

Claims 3-8, 12-14 and 23 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Jagadeesan (US 7,003,298) in view of Noguera-Rodriguez et al. (US 6,687,249) and further in view of Tellingier et al. (US 6,792,273).

Claims 16, 17, 19-22 and 24 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Jagadeesan (US 7,003,298) in view of Noguera-Rodriguez et al. (US 6,687,249) and further in view of Parmar et al. (US 6,725,039).

Claim 15 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Jagadeesan (US 7,003,298) in view of Noguera-Rodriguez et al. (US 6,687,249) and further in view of Bedingfield, Sr. et al. (US 5,850,606).

The appellant disputes these rejections.

7. ARGUMENT

(i) Rejection under 35 U.S.C. §112, first paragraph:

None

(ii) Rejection under 35 U.S.C. §112, second paragraph:

None

(iii) Rejection under 35 U.S.C. §102:

None

(iv) Rejection under 35 U.S.C. §103:

A. Rejection under 35 U.S.C. 103(a) – Jagadeesan in view of Noguera-Rodriguez

The Examiner rejected claims 1, 9-11, 18 and 25 under 35 U.S.C. §103(a) as being unpatentable over Jagadeesan (US 7,003,298) in view of Noguera-Rodriguez et al. (US 6,687,249 hereinafter “Rodriguez”). It is assumed that the Examiner also rejected claim 2 inasmuch as arguments are presented against this claim.

First aspect of claim 1

With respect to the first aspect of claim 1, the Examiner admits that Jagadeesan fails to disclose forwarding all the connections directly from the first (multi-connection) communication system to the second (single-connection) communication system. In this case the Examiner has cited Rodriguez as describing forwarding a plurality of connections from a first communication system to a second communication system.

Rodriguez describes the passing of control of network diversity legs from one controller to a second controller. Appellant submits that this is completely different than forwarding a multiple-connection call between two systems. Firstly, Rodriguez is only dealing with one system (network). Therefore, there is no forwarding between different communication systems. Secondly, only the control of network legs is forwarded. Thirdly, the leg connections themselves remain the same after control is forwarded. Therefore, the leg connections are not forwarded or transferred.

Therefore, appellant respectfully submits that neither Jagadeesan nor Rodriguez, in combination or alone, suggest or disclose forwarding a plurality of connections from a first communication system to a second communication system.

Second aspect of claim 1

With respect to the second aspect of claim 1, the Examiner recites that Jagadeesan describes entering a connection into a holding state. In particular, the Examiner appears to explain that in order to handoff a call from one connection leg to another connection leg it is necessary to transmit the signal for the handoff on the same one connection leg as the call, and that this interrupts the call which is the same as placing the call on “hold”, and that this is obvious to one skilled in the art. Appellant respectfully counters that it is obvious to one skilled in the art that handoff signals utilize a different protocol layer than the actual call and that handoff signals do not interrupt a call, and that even if there were an interruption (which is common in packet data signaling) this can not be considered a “hold” condition as is known in the art.

Moreover, to establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 985 (CCPA 1974). “All words in a claim must be considered in judging the patentability of that claim against the prior art.” In re Wilson, 424 F.2d 1382, 1385 (CCPA 1970). In this case, for the reasons stated above, all the claim limitations are not taught or suggested by the prior art. In particular, none of the cited art discloses or even suggest a call that is placed on “hold”. Thus, the Jagadeesan reference clearly fails to render obvious the claims.

In addition, a proposed modification or combination of prior art cannot be made if the prior art does not suggest the desirability of the claimed invention. In re Fine, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). As mentioned above and in the Appellant’s specification, it is a substantial benefit to use the claimed invention because it permits the handoff of a multiple connection call to a system that only provides only one connection. Jagadeesan (see abstract), describes a handoff between two connections to a user in a communication system while keeping both connections active. This solution would not work for appellant’s problem since appellant seeks to provide handoff to a user in a communication system that only has one connection. Therefore, two connections could not be maintained. As a result, Jagadeesan does not address or solve the problem of the claimed invention.

Appellants' specification specifically teaches how to use only one connection by using a "hold" state on other connections, the hold state being responsive to various parameters. In this sense, a "hold" state is simply known in the art as placing a call on hold without hanging up on it. The Examiner's explanation that it is commonly known that any type of interruption can be considered a "hold" is not acceptable. Moreover, deficiencies of the cited references (Jagadeesan) cannot be remedied by the conclusions about what is well known or what one skilled in the art could have done. In *re Zurko*, 258 F.3d 1379, 1385-1386 (Fed. Cir. 2001) (Assessment of basic knowledge and common sense in the art must be based on evidence in the record and cannot be based on unsupported assessment of the prior art). In this case, no art has been presented that describes "holding" a call.

Jagadeesan discloses a technique to handover a call from one communication mode to another communication mode while keeping both connections active. Jagadeesan does not suggest or disclose the placing of all but one of the plurality of connections on hold while handing over the one active connection. Jagadeesan does not disclose placing a connection on hold at all. Jagadeesan specifically describes keeping both the connections actively transmitting data or dropping one of the connections (abstract, col. 7 line 63 to col. 8 line 15), which teaches away from appellant's holding condition. Therefore, Jagadeesan could not have envisioned switching the one handover connection between active and held connections, as recited in amended claim 1. Jagadeesan is missing at least the following elements of appellant's invention; a) a plurality of connections, b) forwarding the plurality of connections between systems, c) holding all but one of the connections, and d) switching the held connections one-at-a-time to the active handover connection. As a result, appellant respectfully submits that amended claim 1 is novel and non-obvious over Jagadeesan.

The Examiner has admitted that Jagadeesan fails to disclose entering a connection into a holding state under direction of the second communication system. In this case the Examiner has cited Rodriguez as describing placing a plurality of connections in a first communication system in a holding state under direction by a second communication system.

Rodriguez describes the passing of control of network diversity legs from one controller to a second controller. Appellants are willing to submit that the change in control is directed by the second controller. However, appellant disagrees that Rodriguez teaches entering a plurality of connections into a holding state, under the direction of a second controller or not. Nowhere does Rodriguez describe or suggest placing connections on hold.

Therefore, appellant respectfully submits that neither Jagadeesan nor Rodriguez, in combination or alone, suggest or disclose the elements; a) forwarding a plurality of connections from a first communication system to a second communication system, b) placing at least one of these connections on hold, c) the command for placing the connection on hold comes from the second communication system, and d) switching the held connections one-at-a-time to the active handover connection.

The Examiner suggests that the motivation for modifying Jagadeesan with Rodriguez is to maintain control of user equipment when the user moves about with a single network. However, appellant does not see the relevance of this motivation, inasmuch as appellant's invention applies to a mobile user who moves between networks, where one network supports a multiple-connection call and another network only support a single-connection call.

Third aspect of claim 1

Regarding the third aspect of claim 1, appellant is willing to submit that Jagadeesan teaches forming a handover connection to the subscriber unit through the second cellular communication system.

Fourth aspect of claim 1

Regarding the fourth aspect of claim 1, appellant is willing to submit that Jagadeesan teaches handing over a second connection of said plurality of connections to

the second cellular communication system by associating the second connection with said handover connection.

Fifth aspect of claim 1

Regarding the fifth aspect of claim 1, appellant disagrees with the Examiner's assertion that Jagadeesan describes "means for entering said at least first connection into an active state by switching the at least first connection with the handover connection while placing the previously active second connection on hold" using the view that this element is just the reverse of the second element. Inasmuch as appellant has put forth a comprehensive argument above of why Jagadeesan does not describe the second element, it follows that Jagadeesan could not then describe the reverse thereof in this fifth element of claim 1.

Therefore, appellant respectfully submits that claim 1 is patentable and non-obvious over the cited art and asks the reversal of this rejection.

Claim 2

Regarding claim 2, Rodriguez describes combining network diversity legs into a single data stream. Appellant submits that this is completely different than multiplexing. In multiplexing all the different data from each leg is submitted serially through one connection. In contrast and as known in the art, in diversity, all of the legs from each leg is the same, but only shifted in time, phase, fading, etc. Diversity is used to recover one signal by combining those from multiple sources with the hope that any signal corruption in one leg will not prevent recovery of the whole signal. Rodriguez uses diversity to combine different data legs carrying the same information in parallel to retrieve the original signal. Multiplex combining is not the same as diversity combining, and Rodriguez could not be used to provide the solution of claim 2.

Claims 9 and 10

Regarding claims 9 and 10, although Jagadeesan (col. 7 lines 35-45) describes handoff signals between devices, as is well known in the art, appellant submits that this is a completely different concept from notifying a user of the subscriber unit with a

message that one of their connections is on hold (see text on page 22 lines 27-32). Moreover, Jagadeesan does not describe a plurality of connections, and does not describe a “hold” function (as detailed above), and therefore could not have envisioned notifying a user that one of a plurality of connections is on hold. Moreover, the placing of a call on hold can not be considered as a positive notification to users of a device that their call is on hold.

Claim 11

Regarding claim 11, although Jagadeesan (col. 7 lines 25-30) describes voice communication, as is well known in the art, appellant submits that this is a completely different concept from notifying a user of the subscriber unit with a voice message that one of their connections is on hold (see text on page 22 lines 27-32). Moreover, Jagadeesan does not describe a plurality of connections, and does not describe a “hold” function (as detailed above), and therefore could not have envisioned notifying a user that one of a plurality of connections is on hold. Further, claim 11 is dependent upon claim 9, incorporated by reference, as is therefore distinct for the same reasons.

Claim 18

Regarding claim 18, claim is dependent upon claim 1, hereby incorporated by reference, as is therefore distinct for the same reasons.

Claim 25

Independent claim 25 includes the same recitations as detailed with respect to claim 1 above, but in apparatus form. The appellant therefore respectfully submits that all of the points raised above with respect to the claim 1 are relevant for claim 25 as well. Those points will not be repeated here, however, for the sake of brevity, but to say that claim 25 is deemed allowable as well for the same reasons.

As a result, the appellant respectfully submits that claims 1, 9-11, 18 and 25 are allowable over the references of record and respectfully requests a corresponding ruling.

Moreover, claims 2, 9-11 and 18 are dependent on amended claim 1, and therefore include all of the recitations of claim 1, which are not disclosed or suggested by the references.

Accordingly, appellant respectfully requests that the above rejection be reversed and the claims allowed.

B. Rejection under 35 U.S.C. 103(a) – Jagadeesan in view of Noguera-Rodriguez in view of Telling

The Examiner rejected Claims 3-8, 12-14 and 23 under 35 U.S.C. §103(a) as being unpatentable over Jagadeesan (US 7,003,298) in view of Noguera-Rodriguez et al. (US 6,687,249) and further in view of Telling et al. (US 6,792,273).

Claim 6

Regarding claim 6, deficiencies of the cited references cannot be remedied by the conclusions about what is well known or what one skilled in the art could have done. In re Zurko, 258 F.3d 1379, 1385-1386 (Fed. Cir. 2001) (Assessment of basic knowledge and common sense in the art must be based on evidence in the record and cannot be based on unsupported assessment of the prior art). In this case, no art has been presented that describes “holding” a call. Therefore, one could not conclude the characteristic parameters of claim 6 could be used to determine which connection to “hold”.

Claims 7 and 8

Regarding claims 7 and 8, none of the cited art, in combination or alone, disclose placing one of a plurality of connections in hold, and therefore the cited art could not have envisioned the further step of placing information from a held connection in memory.

Claim 14

Regarding claim 14, none of the cited art, in combination or alone, disclose controlling a handover of a plurality of connection in a first system by a second system, and therefore, the cited art could not have envisioned the first system re-establishing a connection if the second system fails in a handover attempt.

Claim 23

Regarding claim 23, none of the cited art, in combination or alone, disclose controlling a handover of a plurality of connection in a first system by a second system, and therefore, the cited art could not have envisioned the first system taking control of the connection in the second communication system following a handover.

Moreover, claims 3-8, 12-14 and 23 are dependent on amended claim 1, and therefore include all of the recitations of claim 1, which are not disclosed or suggested by the references.

Accordingly, appellant respectfully requests that the above rejection be reversed and the claims allowed.

C. Rejection under 35 U.S.C. 103(a) – Jagadeesan in view of Noguera-Rodriguez in view of Parmar

The Examiner rejected Claims 16, 17, 19-22 and 24 under 35 U.S.C. §103(a) as being unpatentable over Jagadeesan (US 7,003,298) in view of Noguera-Rodriguez et al. (US 6,687,249) and further in view of Parmar et al. (US 6,725,039).

Claims 16, 17, 19-22 and 24 are dependent on amended claim 1, hereby incorporated by reference, and are therefore deemed patentable and distinct from the cited art for the same reasons.

Accordingly, appellant respectfully requests that the above rejection be reversed and the claims allowed.

D. Rejection under 35 U.S.C. 103(a) – Jagadeesan in view of Noguera-Rodriguez in view of Bedingfield, Sr.

The Examiner rejected Claim 15 under 35 U.S.C. §103(a) as being unpatentable over Jagadeesan in view of Rodriguez in view of Bedingfield, Sr. et al. (US 5,850,606).

Claim 15 is dependent on amended claim 1, hereby incorporated by reference, and is therefore deemed patentable and distinct from the cited art for the same reasons. .

Accordingly, appellant respectfully requests that the above rejection be reversed and the claims allowed.

(v) Other rejections

None.

In conclusion, and for the above reasons, the appellants respectfully submit that the rejection of Claims 1, 9-11, 18 and 25 under 35 U.S.C. §103(a) as being unpatentable over Jagadeesan (US 7,003,298) in view of Noguera-Rodriguez et al. (US 6,687,249), the rejection of Claims 3-8, 12-14 and 23 under 35 U.S.C. §103(a) as being unpatentable over Jagadeesan (US 7,003,298) in view of Noguera-Rodriguez et al. (US 6,687,249) and further in view of Tellingier et al. (US 6,792,273), the rejection of Claims 16, 17, 19-22 and 24 under 35 U.S.C. §103(a) as being unpatentable over Jagadeesan (US 7,003,298) in view of Noguera-Rodriguez et al. (US 6,687,249) and further in view of Parmar et al. (US 6,725,039), and the rejection of Claim 15 under 35 U.S.C. §103(a) as being unpatentable over Jagadeesan (US 7,003,298) in view of Noguera-Rodriguez et al. (US 6,687,249) and further in view of Bedingfield, Sr. et al. (US 5,850,606), are in error and should be reversed and the claims allowed.

8. CLAIMS APPENDIX

1. (previously presented) A method of handing over a plurality of connections of a subscriber unit from a first cellular communication system supporting the plurality of connections of the subscriber unit to a second cellular communication system having capability for supporting only one connection, the method comprising the steps of:
forwarding all the connections directly from the first communication system to the second communication system;
entering at least a first connection of said plurality of connections into a holding state directed by the second communication system;
forming a handover connection to the subscriber unit through the second cellular communication system;
handing over a second connection of said plurality of connections to the second cellular communication system by associating the second connection with said handover connection;
entering said at least first connection into an active state by switching the at least first connection with the handover connection while placing the previously active second connection on hold.
2. (previously presented) A method as claimed in claim 1 wherein the step of entering includes multiplexing all of the connections with the handover connection.
3. (previously presented) A method as claimed in claim 1 further comprising the step of selecting the second connection from the plurality of connections in response to at least one characteristic of at least one of the plurality of connections.
4. (previously presented) A method as claimed in claim 3 wherein the characteristic is related to an error rate of the second connection.
5. (previously presented) A method as claimed in claim 3 wherein the step of selecting comprises selecting a data service connection in preference to a voice service connection as the second connection.

6. (previously presented) A method as claimed in claim 3 wherein the at least one characteristic comprises at least one characteristic chosen from the group consisting of:

- a) a priority;
- b) a transaction identifier; and
- c) a time of setup of at least one of the plurality of connections.

7. (previously presented) A method as claimed in claim 1 wherein the at least first connection is a data connection and the method comprises the further steps of:

- storing data of the at least first connection in memory when the at least first connection is in the holding state; and
- communicating the data stored in said memory when the at least first connection enters the active state.

8. (previously presented) A method as claimed in claim 1 wherein the at least first connection is a data connection and the method comprises the further steps of:

- storing data of the at least first connection in memory when the at least first connection is in the holding state; and
- the subscriber unit retrieving the stored data from the memory by setting up a separate data call.

9. (previously presented) A method as claimed in claim 1 further comprising the step of notifying a user of the subscriber unit of which of the plurality of connections are in a holding state.

10. (previously presented) A method as claimed in claim 1 wherein at least one of the plurality of connections is between the subscriber unit and a second cellular communication unit and further comprising the step of notifying a user of the second cellular communication unit of which of the plurality of connections are in a holding state.

11. (previously presented) A method as claimed in claim 9 wherein the notification is by means of a voice communication if at least one of the plurality of connections is a voice service connection.

12. (previously presented) A method as claimed in claim 1 further comprising the step of selecting the second connection in response to a parameter set by an operator of at least one of the first or second cellular communication systems.

13. (previously presented) A method as claimed in claim 1 further comprising the step of selecting the second connection in response to a parameter set by a user of the subscriber unit.

14. (previously presented) A method as claimed in claim 1 wherein if the handover to the second cellular communication system is unsuccessful at least one of the plurality of connections is re-established through the first cellular communication system.

15. (previously presented) A method as claimed in claim 1 wherein the second cellular communication system comprises a master switch center comprising functionality for selecting the second connection out of the plurality of connections.

16. (previously presented) A method as claimed in claim 1 wherein the method is operated in a single integrated master switch centre for the first cellular communication system and the second cellular communication system.

17. (previously presented) A method as claimed in claim 1 wherein the second cellular communication system is operable to only support one connection for each served subscriber unit.

18. (previously presented) A method as claimed in claim 1 wherein the plurality of connections is circuit switched connections.

19. (previously presented) A method as claimed in claim 1 wherein the second cellular communication system is a Second Generation Cellular Communication System.

20. (original) A method as claimed in claim 19 wherein the second cellular communication system is a Global System for Mobile communication (GSM) cellular communication system.

21. (previously presented) A method as claimed in claim 1 wherein the first cellular communication system is a Third Generation Cellular Communication System.

22. (original) A method as claimed in claim 21 wherein the first cellular communication system is a Universal Mobile Telecommunication System (UMTS).

23. (previously presented) A method as claimed in claim 14 wherein the first communication system maintains control of the connection in the second communication system following a handover.

24. (previously presented) A method as claimed in claim 22 wherein the step of entering said at least first connection into an active state is performed in accordance with the 3rd Generation Partnership Project (3G PP) Technical Specification 24.083.

25. (previously presented) An apparatus for handing over a plurality of connections of a subscriber unit from a first cellular communication system supporting the plurality of connections of the subscriber unit to a second cellular communication system having capability for supporting only one connection; the apparatus comprising:

means for forwarding all the connections directly from the first communication system to the second communication system;

means for entering at least a first connection of said plurality of connections into a holding state directed by the second communication system;

means for forming a handover connection to the subscriber unit through the second cellular communication system;

means for handing over a second connection of said plurality of connections to the second cellular communication system by associating the second connection with said handover connection;

means for entering said at least first connection into an active state by switching the at least first connection with the handover connection while placing the previously active second connection on hold.

9. EVIDENCE APPENDIX

Not applicable

10. RELATED PROCEEDINGS APPENDIX

Not applicable

Respectfully submitted,

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